

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 790 OF 2019

1. Mr. Gajanan R. Simepuruskar,
Son of late Shri Rohidas Simepuruskar,
Major of age, Indian National,

2. Mr. Rayu Rohidas Simepuruskar,
Son late Shri Rohidas Simepuruskar,
Major of age, Indian National,

Both Residents of Khobrovaddo,
Calangute, bardez-Goa.

... Petitioners

Versus

1. State of Goa,
Through Chief Secretary,
Having its Office at
Secretariat, Porvorim,
Bardez-Goa.

2. North Goa Planning And
Development Authority,
Having its Office at Mala,
Panaji – Goa.

3. The Deputy Collector & SDO Bardez
having Office at Mapusa,
Bardez – Goa.

4. The Collector,
North Goa,
Having Office at Collectorate Bldg.,
Panaji-Goa.

5. Goa Coastal Zone Management Authority, through its Member Secretary, having Office at Porvorim, Bardez – Goa.

6. Village Panchayat of Calangute, through its Secretary, having Office at Calangute, Bardez-Goa.

... Respondents

Mr. Prasheen Lotlikar, Advocate for the Petitioners.

Mr. Devidas J. Pangam, Advocate General alongwith Ms. Maria Simone Judith Correia, Additional Government Advocate for Respondents No. 1, 3 to 5.

Mr. H. D. Naik, Advocate for Respondent No. 2.

**Coram : PRADEEP NANDRAJOG, CJ.,
M. S. SONAK, J.**

Date : 7th October, 2019.

ORAL JUDGMENT: [Per Pradeep Nandrajog, CJ.]:

Rule made returnable forthwith.

2. The Petitioners are the sons of late Rohidas Simepuruskar. He owned property bearing Survey No. 211/4 Village Calangute, Bardez-Goa. On 150sq.mts land comprised in the Survey number he proceeded to repair the existing structure. Writ Petition No. 423 of 1996 came to be filed questioning the activities of the late

father of the Petitioners which was disposed on 23.06.1997. The said order led the Petitioners to file applications before the North Goa Planning And Development Authority, Collector (North Goa) and the Goa Coastal Zone Management Authority for the reason, the issue of conversion of agricultural land to non-agricultural cropped up requiring a permission from the Collector. The issue of regularisation or grant of permission to reconstruct fell in the lap of the North Goa Planning Development Authority. The issue concerning regularisation of house fell in the lap of the Goa Coastal Zone Management Authority. The application before the three authorities are pending and the Petitioners fear demolition at the hands of the Collector (North Goa).

3. The Respondents do not dispute that the applications filed by the Petitioners to which we have referred hereinabove are pending.

4. Thus, we dispose of the Petition directing the Collector (North Goa) to decide the Petitioners application seeking change of land use. The same shall be decided within 3 months from today. We direct the Goa Coastal Zone Management Authority to decide the application submitted to it within 4 months from today. We direct the North Goa Planning And Development Authority to decide the application within 2 months of the decision taken by the

Goa Coastal Zone Management Authority. Till the 3 authorities take a decision, status quo to be maintained at the site.

5. No costs.

M. S. SONAK, J.

CHIEF JUSTICE

msr.